



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Set public hearing for July 20, 2005 to consider the appeal from Yousef Haddad regarding the Planning Commission's decision of ~~April 13, 2005~~ **May 25, 2005** to deny his request for a Use Permit to replace seven existing condemned apartment units and a single family house with seven new units located at 501 East Maple Street.

MEETING DATE: July 6, 2005

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Set a public hearing for July 20, 2005 to consider the appeal from Yousef Haddad regarding the Planning Commission's decision of April 13, 2005, to deny his request for a Use Permit to replace seven existing condemned apartment units and a single-family house with seven new units located at 501 East Maple Street.

BACKGROUND INFORMATION: The Appellant owns the property located at 501 E. Maple Street in Lodi, where there currently exists seven vacant, condemned dwelling units and one vacant single-family dwelling. The Appellant has proposed to redevelop this parcel by demolishing all units and to construct a new seven-unit apartment project. This is allowed providing that they obtain a Use Permit.

The Appellant's request for a Use Permit from the Planning Commission encountered opposition from the surrounding neighborhood. The neighbor's position was that a project of that size, while addressing the immediate issue of visual blight of the existing units, still was inappropriate for that location and detrimental to the neighborhood due to the scale of the buildings to be built there, two-story townhouses, and that the density that seven, occupied units would create.

Neither the Appellant, nor any project representative, were present at that public hearing before the Planning Commission, to respond to questions regarding the proposed scale and density of the project. The Planning Commission found that the project was not beneficial to the surrounding community and thereby denied the Appellant's request for a Use Permit.

Upon learning of the Planning Commission's denial of their request, the Appellant filed an application for appeal within the required time, asking for a hearing where they can request that the City Council overturn the Planning Commission's decision.

While this appeal is being processed, Community Development staff is also facilitating a meeting between the Appellant and the residents of the surrounding neighborhood, to see if any concessions can

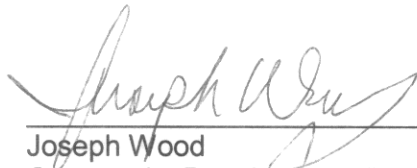
APPROVED: _____

Blair King, City Manager

be made to accommodate the concerns of the neighborhood residents and still allow the Appellant to pursue a cost-effective project upon the subject property.

FISCAL IMPACT: None

FUNDING AVAILABLE: Not Applicable



Joseph Wood
Community Development Director

JW/nme

cc: City Attorney



**CITY OF LODI
COUNCIL COMMUNICATION**

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PREPARED BY: Community Development Director

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Upon learning of the Planning Commission's denial of their request, the Appellant filed an application for appeal within the required time, asking for a hearing where they can request that the City Council overturn the Planning Commission's decision.

While this appeal is being processed, Community Development staff is also facilitating a meeting between the Appellant and the residents of the surrounding neighborhood, to see if any concessions can

APPROVED: Blair King
Blair King, City Manager

be made to accommodate the concerns of the neighborhood residents and still allow the Appellant to pursue a cost-effective project upon the subject property.

FISCAL IMPACT: None

FUNDING AVAILABLE: Not Applicable



Joseph Wood
Community Development Director

JW/nme

cc: City Attorney



CITY OF LODI
Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: July 20, 2005

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston
City Clerk
Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, July 20, 2005**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider:

- a) appeal from Yousef Haddad regarding the Planning Commission's decision of May 25, 2005, to deny his request for a Use Permit to replace seven existing condemned apartment units and a single-family house with seven new units located at 501 East Maple Street.

Information regarding this item is available and may be obtained in the office of the Community Development Department, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: July 6, 2005

Approved as to form:

D. Stephen Schwabauer
City Attorney



***Please immediately confirm receipt
of this fax by calling 333-6702***

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: SET PUBLIC HEARING FOR JULY 20, 2005, TO HEAR AN APPEAL FROM
YUSEF HADDAD REGARDING THE PLANNING COMMISSION'S DECISION
OF MAY 25, 2005, TO DENY HIS REQUEST FOR A USE PERMIT TO REPLACE
SEVEN EXISTING CONDEMNED APARTMENT UNITS AND A SINGLE-FAMILY
HOUSE WITH SEVEN NEW UNITS LOCATED AT 501 EAST MAPLE STREET

LEGAL AD


PUBLISH DATE: SATURDAY, JULY 9, 2005

TEAR SHEETS WANTED: Three (3) please

SEND AFFIDAVIT AND BILL TO: SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, JULY 7, 2005

ORDERED BY:


KARI J. CHADWICK
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

SEND PROOF OF ADVERTISEMENT. THANK YOU!!

LNS	Faxed to the Sentinel at 369-1084 at _____(time) on _____(date) _____(pages)
	Phoned to confirm receipt of all pages at _____(time) _____Jac _____KJC _____Jen (initials)



DECLARATION OF POSTING

SET PUBLIC HEARING FOR JULY 20, 2005, TO HEAR AN APPEAL FROM YOUSEF HADDAD REGARDING THE PLANNING COMMISSION'S DECISION OF MAY 25, 2005, TO DENY HIS REQUEST FOR A USE PERMIT TO REPLACE SEVEN EXISTING CONDEMNED APARTMENT UNITS AND A SINGLE-FAMILY HOUSE WITH SEVEN NEW UNITS LOCATED AT 501 EAST MAPLE STREET

On Friday, July 8, 2005, in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing for the appeal from Yousef Haddad regarding the Planning Commission's decision of May 25, 2005, to deny his request for a Use Permit to replace seven existing condemned apartment units and a single-family house with seven new units located at 501 East Maple Street, (attached hereto, marked Exhibit "A"), was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 8, 2005, at Lodi, California

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

Jacqueline L. Taylor, CMC
Deputy City Clerk


Kari J. Chadwick
Administrative Clerk

Jennifer M. Perrin, CMC
Deputy City Clerk



DECLARATION OF MAILING

SET PUBLIC HEARING FOR JULY 20, 2005, TO CONSIDER AN APPEAL FROM YOUSEF HADDAD REGARDING THE PLANNING COMMISSION'S DECISION OF MAY 25, 2005, TO DENY HIS REQUEST FOR A USE PERMIT TO REPLACE SEVEN EXISTING CONDEMNED APARTMENT UNITS AND A SINGLE-FAMILY HOUSE WITH SEVEN NEW UNITS LOCATED AT 501 EAST MAPLE STREET

On July 8, 2005, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, an envelope with first class postage prepaid thereon, containing a notice to set public hearing for July 20, 2005, to consider an appeal from Yousef Haddad regarding the Planning Commission's decision of May 25, 2005, to deny his request for a use permit to replace seven existing condemned apartment units and a single-family house with seven new units located at 501 East Maple Street, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 8, 2005, at Lodi, California.


ORDERED BY:

**SUSAN BLACKSTON
CITY CLERK, CITY OF LODI**

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK


KART J. CHADWICK
ADMINISTRATIVE CLERK

APPEAL FROM YOUSEF HADDAD REGARDING THE PLANNING COMMISSION'S DECISION OF MAY 25, 2005, TO DENY HIS REQUEST FOR A USE PERMIT TO REPLACE SEVEN EXISTING CONDEMNED APARTMENT UNITS AND A SINGLE-FAMILY HOUSE WITH SEVEN NEW UNITS LOCATED AT 501 EAST MAPLE STREET.

APN;OWNER;ADDRESS;CITY;STATE;ZIP;SITUSNUM;SITUSDIR;SITUSSTNAME;SITUSTYP
E

04732217;GOMEZ, MARIA DE LA LUZ;435 E MAPLE
ST;LODI;CA;95240;435;E;MAPLE;ST

04732404;TELLEZ, ENRIQUE QUIROZ & AMPAR;519 MAPLE
ST;LODI;CA;95240;519;E;MAPLE;ST

04731108;HAMILTON, BRET ETAL;428 E MAPLE
ST;LODI;CA;95240;428;E;MAPLE;ST

04731109;SALEEM, MOHAMMAD;430 MAPLE ST;LODI;CA;95240;430;E;MAPLE;ST

04731110;ORTIZ, IGNACIO D & ROSIE M TR;432 MAPLE
ST;LODI;CA;95204;432;E;MAPLE;ST

04731112;MONSIVAIS, CARMEN L;454 MAPLE ST;LODI;CA;95240;454;E;MAPLE;ST

04731114;SHOAIB, SHAKER;815 S GARFIELD
ST;LODI;CA;95240;815;S;GARFIELD;ST

04731115;BLAYLOCK, MELVIN H & LOUISE;819 S GARFIELD
ST;LODI;CA;95240;819;S;GARFIELD;ST

04731116;PERICAO, JOSE S TR;PO BOX 1981;LODI;CA;95241;439;E;CHERRY;ST

04731118;STATON, MILTON C & CYNTHIA C T;1761 CORBIN
CT;LODI;CA;95242;433;E;CHERRY;ST

04731127;ALAM, MOHAMMAD;1107 S CENTRAL AVE;LODI;CA;95240;440;E;MAPLE;ST

04732112;LITTLE, ROLAND C;715 S
GARFIELD;LODI;CA;95240;711;S;GARFIELD;ST

04732113;ESTRADA, GUILLERMO;171 S GARFIELD
ST;LODI;CA;95240;717;S;GARFIELD;ST

04732208;CASTILLO, SERGIO F & TERESA H;428 E HAROLD
ST;LODI;CA;95240;428;E;HAROLD;ST

04732209;FLORES, GUILLERMO;432 HAROLD ST;LODI;CA;95240;432;E;HAROLD;ST

04732210;MILLAN, ELIZABETH;719 S GARFIELD
ST;LODI;CA;95240;719;S;GARFIELD;ST

04732211;LIRA, RAUL H;1518 BURGUNDY DR;LODI;CA;95242;723;S;GARFIELD;ST

04732214;SULLIVAN, EILEEN M;731 S GARFIELD
ST;LODI;CA;95240;731;S;GARFIELD;ST

04732216;BERKEBILE, DWIGHT M & ANNA M;455 E MAPLE
ST;LODI;CA;95240;455;E;MAPLE;ST

04732218;CARRILLO, HUMBERTO R & M;PO BOX
395;BURSON;CA;95225;433;E;MAPLE;ST

04732219;LEYVA, ENRIQUE G & C R;411 E MAPLE
ST;LODI;CA;95240;411;E;MAPLE;ST

04732220;MAERZLUFT, THERESIA;409D MAPLE ST;LODI;CA;95240;409;E;MAPLE;ST

04732402;HORNING, HILDA ETAL;505 E MAPLE
ST;LODI;CA;95240;505;E;MAPLE;ST

04732403;HESS, IDA M TR;1505 W IRIS DR;LODI;CA;95242;517;E;MAPLE;ST

04732405;JAFFER, MISSEL KHAN;521 MAPLE ST;LODI;CA;95240;521;E;MAPLE;ST

04732406;KHAN, BANARAS;525 MAPLE ST;LODI;CA;95240;525;E;MAPLE;ST

04732410;HESS, BEVERLY TR;PO BOX 35;LODI;CA;95241;533;E;MAPLE;ST

04737003;MARES, CRISTABOL GOMEZ & MARIA;505 HAROLD
ST;LODI;CA;95240;505;E;HAROLD;ST

04737008;HOLLADAY, PRISCILLA;517 E HAROLD
ST;LODI;CA;95240;517;E;HAROLD;ST

04737021;GONZALEZ, VICENTE S;524 E HAROLD
ST;LODI;CA;95240;524;E;HAROLD;ST

04737001;VILLA, JAVIER;501 HAROLD ST;LODI;CA;95240;501;E;HAROLD;ST

04737002;VELASQUEZ, RAUL PERALTA;505 1/2 HAROLD
ST;LODI;CA;95240;505;E;HAROLD;ST

04737004;SANTIAGO, LEONARDO & LYDIA;PO BOX
1744;LODI;CA;95241;509;E;HAROLD;ST

04737006;MACEDO, TONY E & LUPITA;10734 WISHON
DR;STOCKTON;CA;95219;513;E;HAROLD;ST

04737007;ARREDONDO, LUPE JR;513 E HAROLD
ST;LODI;CA;95240;513;E;HAROLD;ST

04737009;KHAN, JUMMA ETAL;224 ACACIA ST;LODI;CA;95240;521;E;HAROLD;ST

04737010;GONZALEZ, EFREN L & MARIA;525 E HAROLD
ST;LODI;CA;95240;525;E;HAROLD;ST

04737020;PATEL, GHANSHYAM A & MITA G ET;528 E HAROLD
ST;LODI;CA;95240;528;E;HAROLD;ST

04737022;DODSON, JOHNNY & ALLIE;520 HAROLD
ST;LODI;CA;95240;520;E;HAROLD;ST

04737023;GEORGE, MARK & ANNE;9855 E LIBERTY
RD;GALT;CA;95632;520;E;HAROLD;ST

04737026;CERVANTES, ADAN ETAL;512 HAROLD
ST;LODI;CA;95240;512;E;HAROLD;ST

04737027;PERIS, EMMANUEL & K;508 HAROLD
ST;LODI;CA;95240;508;E;HAROLD;ST

04737028;REYNA, JOSE ETAL;504 E HAROLD ST;LODI;CA;95240;504;E;HAROLD;ST

04737029;GARDEA, LUIS;2201 MOUNTAIN RANCH RD;SAN
ANDREAS;CA;95249;504;E;HAROLD 1/2;ST

04737031;KHAN, JUMMA & ARAB S;224 ACACIA
ST;LODI;CA;95240;516;E;HAROLD;ST

04738001;JOHNSTON, CYNTHIA;915 COOPER
CT;STOCKTON;CA;95210;800;S;GARFIELD;ST

04738002;CLUFF, MARK W;808 S GARFIELD;LODI;CA;95240;808;S;GARFIELD;ST

04738003;KHAN, MOHAMMAD & ISHRAT B;708 EL CAPITAN
DR;LODI;CA;95242;508;E;MAPLE;ST

04738004;MEDINA, MARIO C & MARIA T;512 E MAPLE
ST;LODI;CA;95240;512;E;MAPLE;ST

04738005;BHAKTA, MANUBHAI M & TARAMATI;516 MAPLE
ST;LODI;CA;95240;516;E;MAPLE;ST

04738006;GARCIA, MARIANO A & D M;517 CHERRY
ST;LODI;CA;95240;517;E;CHERRY;ST

04738007;PEREZ, ANTONIO C & M G;515 CHERRY
ST;LODI;CA;95240;515;E;CHERRY;ST

04738008;ORTEGA, GUILLERMO & EMA ETAL;509 1/2 CHERRY
ST;LODI;CA;95240;509;E;CHERRY;ST

04738009;BRAGE, DAVID A;2116 N MAIN ST SUITE H;WALNUT
CREEK;CA;94596;820;S;GARFIELD;ST

04738010;CONTRERAS, ROBERTO & E;1011 S
GARFIELD;LODI;CA;95240;816;S;GARFIELD;ST

04738011;SHOAIB, MUHAMMAD & N;812 S GARFIELD
ST;LODI;CA;95240;812;S;GARFIELD;ST

04731301;KHAN, JUMMA ETAL;224 ACACIA ST;LODI;CA;95240;520;E;MAPLE;ST

04731302;BHAKTA, HASMUKH M & RITA H;807 S CHEROKEE
LN;LODI;CA;95240;807;S;CHEROKEE;LN

04731303;PATEL, RAKESH & SMITA R;815 S CHEROKEE
LANE;LODI;CA;95240;815;S;CHEROKEE;LN

04732215;MAERZLUFT, THERESIA TR;409D MAPLE
ST;LODI;CA;95240;409;E;MAPLE;ST

04731113;KHAN, SAEED & SAMINA;811 S GARFIELD
ST;LODI;CA;95240;811;S;GARFIELD;ST

04731117;SCHULZ, JOHN H & RENEE E;435 CHERRY
ST;LODI;CA;95240;435;E;CHERRY;ST

04732212;JENKINS, CRYSTAL MAY;727 S GARFIELD
ST;LODI;CA;95240;727;S;GARFIELD;ST

04732213;OLIVAREZ, GLORIA;13112 N HIGHWAY
88;LODI;CA;95240;729;S;GARFIELD;ST

04732401;NADRA, MICHELINE J;10201 REFLECTION
LN;STOCKTON;CA;95219;501;E;MAPLE;ST

CITY COUNCIL

JOHN BECKMAN, Mayor
SUSAN HITCHCOCK,
Mayor Pro Tempore
LARRY D. HANSEN
BOB JOHNSON
JOANNE MOUNCE

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702
FAX (209) 333-6807
cityclrk@lodi.gov

BLAIR KING, City Manager
SUSAN J. BLACKSTON
City Clerk
D. STEPHEN SCHWABAUER
City Attorney

July 8, 2005

MAILED CERTIFIED MAIL
AND REGULAR U.S. POSTAL DELIVERY

Yousef Haddad
4327 Curlew Street
Stockton, CA 95219

NOTICE OF CITY COUNCIL PUBLIC HEARING – July 20, 2005

This letter is to notify you that a public hearing will be held by the City Council on **Wednesday, July 20, 2005 at 7:00 p.m.**, or as soon thereafter as the matter can be heard, at the Carnegie Forum, 305 W. Pine Street, Lodi.

This hearing is being held to consider your appeal of the Planning Commission decision on May 25, 2005 to deny a Use Permit to replace seven existing condemned apartment units and a single family house with seven new units located at 501 E. Maple Street.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.
Note: Written correspondence for the City Council may be mailed in c/o the City Clerk's Office, P.O. Box 3006, Lodi, CA 95241-1910, or delivered to the City Clerk at 221 West Pine Street, Lodi, California.

Should you have any questions, please contact my office or Community Development at (209) 333-6711.

Sincerely,



Susan J. Blackston
City Clerk

cc: Community Development Department
David Miraflor
Micheline Nadra

DATE: JUNE 1, 2005

APPLICATION NO: U-05-06
LOCATION: 501 EAST MAPLE ST. STOCKTON, CA.
APN: 047-324-01

APPLICANT: DAVID MIRAFLOR
P.O. BOX 690218
STOCKTON, CA. 95269


PROPERTY OWNER: YOUSEF HABBAD
4327 CURLEW ST.
STOCKTON, CA. 95219

REFERENCE: REQUEST TO APPEAL TO LODI PLANNING COMMISSION CITY CLERK
221 WEST PINE ST.
LODI, CA

We disagree with the decision made by the commission and request the right to appeal.

Enclosed is a check of \$250.00 for the appeal fee.

Sincerely,


David Miraflor

7003 3110 0001 9935 9371

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	-
Total Postage & Fees	\$ 4.42
Postmark Here	
Sent To: Yousef Haddad	
Street, Apt. No., or PO Box No. 4327 Curlew Street	
City, State, ZIP+4 Stockton, CA 95219	
PS Form 3800, June 2002 See Reverse for Instructions	

Micheline Nadra
10201 Reflection Lane
Stockton, CA. 95219
(209) 481-9846